



RCE/1651 #19
Dkt
\$1327.2

REQUEST FOR CONTINUED EXAMINATION (RCE)	Application Number	09/610,152	RECEIVED
	Filing Date	July 5, 2000	
	First Named Inventor	Napoleone FERRARA	DEC 12 2002
	Group Art Unit	1651	TECH CENTER 1600/2900
	Examiner Name	J. Weber	
	Attorney Docket Number	9491-043-27 DIV	

This is a Request for Continued Examination under 37 C.F.R. 1.114 of the above-identified application.
Note: If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.

1. **Submission required under 37 C.F.R. 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief filed on _____
- iii. ☐ Other: _____
- b. ☒ Enclosed
- i. ☒ Amendment
- ii. ☐ Information Disclosure Statement (IDS)

2. **Miscellaneous**

Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c)

- a. ☐ for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required).
- b. ☐ Other _____

3. **Fees** The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 50-1442.
- i. ☒ RCE fee required under 37 C.F.R. 1.17(e).
- ii. ☐ Extension of time fee (37 C.F.R. 1.136 and 1.17).
- iii. ☒ Other Fee Transmittal
- b. ☒ Check in the amount of \$ 740.00 enclosed.

CORRESPONDENCE ADDRESS

12/10/2002 CNGUYEN 00000121 09610152

01 FC:1801

740.00 OP

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Name:	Steven B. Kelber	Registration No.:	30,073
Signature:		Date:	Dec. 9, 2002
Name:	Patrick R. Delaney	Registration No.:	45,338



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FEE TRANSMITTAL

Docket No.	9491-043-27 DIV	DEC 12 2002
Serial No.	09/610,152	
Filing Date	July 5, 2000	TECH CENTER 1600/2900
Inventor(s)	Napoleone FERRARA et al.	
Group Art Unit	1651	
Examiner	J. Weber	

TOTAL AMOUNT OF PAYMENT

\$740.00

1. <input type="checkbox"/> Applicant claims small entity status.										FEE CALCULATION (continued)					
<input checked="" type="checkbox"/> Charge any UNDERPAYMENT or credit any OVERPAYMENT in the indicated fees to Deposit Account No. 50-1442. <input type="checkbox"/> Charge the indicated fees to Deposit Account No. 50-1442.										3. ADDITIONAL FEES					
										Large Entity		Small Entity		Fee Description	
2. <input checked="" type="checkbox"/> Check enclosed.										Fee Code	Fee (\$)	Fee Code	Fee (\$)		Fee Paid
FEE CALCULATION										1051	130	2051	65	Surcharge-late filing fee or oath	
1. BASIC FILING FEE										1052	50	2052	25	Surcharge-late provisional filing fee or cover sheet	
Large Entity		Small Entity		Fee Description						1053	130	1053	130	Non-English specification	
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Paid						1812	2520	1812	2520	Ex parte reexam. fee	
1001	740	2001	370	Utility filing fee						1251	110	2251	55	1-mo. ext. of time	
1002	330	2002	165	Design filing fee						1252	400	2252	200	2-mo. ext. of time	
1003	510	2003	255	Plant filing fee						1253	920	2253	460	3-mo. ext. of time	
1004	740	2004	370	Reissue filing fee						1254	1440	2254	720	4-mo. ext. of time	
1005	160	2005	80	Provisional filing fee						1255	1960	2255	980	5-mo. ext. of time	
SUBTOTAL (1)								\$0.00		1401	320	2401	160	Notice of Appeal	
2. EXTRA CLAIM FEES										1402	320	2402	160	Appeal Brief	
tot. claims		-	20*	=	0	x	\$18	=	0	1403	280	2403	140	Request for Oral Hearing	
ind. claims		-	3*	=	0	x	\$84	=	0	1501	1280	2501	640	Utility/Reissue Issue Fee	
<input type="checkbox"/> Multiple Dependent Claims		\$280						=		1502	460	2502	230	Design Issue Fee	
Large Entity		Small Entity		Fee Description						1503	620	2503	310	Plant Issue Fee	
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Paid						1460	130	1460	130	Petitions to the Commissioner	
1202	18	2202	9	Claims in excess of 20						1806	180	1806	180	IDS Submission	
1201	84	2201	42	Independent claims in excess of 3						8021	40	8021	40	Assignment	
1203	280	2203	140	Multiple dependent claim, if not paid						1801	740	2801	370	For Filing RCE	740
1204	84	2204	42	*Reissue independent claims over original patent						1802	900	1802	900	Expedited Design	
1205	18	2205	9	*Reissue claims in excess of 20 and over original patent						OTHER (indicate below):					
SUBTOTAL (2)								\$0.00							
* or number previously paid, if greater; For Reissues, see above										SUBTOTAL (3)				\$740.00	

Name	Steven B. Kelber	Registration No.	30,073
Signature		Date	Dec. 9, 2002
Name	Patrick R. Delaney	Registration No.	45,338
		Telephone	202-861-3900



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DmT
1227-02

Docket No. 9491-043-27 DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: NAPOLEONE FERRARA, ET AL. GAU: 1651
SERIAL NO: 09/610,152 EXAMINER: WEBER, J.
FILING DATE: JULY 5, 2000
FOR: IMPROVED ANGIOGENESIS USING HEPATOCYTE GROWTH FACTOR

AMENDMENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

This Amendment is submitted in answer to the Office Action dated April 5, 2002, and further to the Notice of Appeal dated October 7, 2002. A Request for Continued Examination is filed in conjunction with this Amendment. Accordingly, this Amendment is considered timely filed on or before Monday, December 9, 2002.

IN THE CLAIMS

Upon entry of this Amendment, Claims 16-27 will remain pending.

Please cancel Claims 8-15 without prejudice or disclaimer.

Please add the following new Claims:

R1:124

¹⁷
- - ~~16~~. (New) A pharmaceutical composition for treating vascular insufficiency or limb

ischemia secondary to arterial occlusive disease comprising:

E1

hepatocyte growth factor (HGF), and

a pharmaceutical carrier acceptable for injection that is intravenous, intraarterial, intraperitoneal, subcutaneous, muscular or other infusion such that delivery to the bloodstream in an effective form is ensured.